Union Customs Code: goods that have temporarily left the customs territory by sea or air

2016/0229(COD) - 01/12/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 621 votes to 20, with 2 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 952/2013 laying down the Union Customs Code, as regards goods that have temporarily left the customs territory of the Union by sea or air.

Parliament adopted its position at first reading following the ordinary legislative procedure by approving the Commission proposal unamended.

As a reminder, Article 136 of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (UCC) excludes the application of certain provisions of that Regulation to goods that have temporarily left the customs territory of the Union while moving between two Union ports or airports without stopping outside the Union.

Those provisions are the rules governing: (i) the obligation to lodge the entry summary declaration, (ii) the obligation to notify the arrival of a sea-going vessel or an aircraft, (iii) the obligation to convey the goods to certain places and to present them to the customs authorities at the point in which they are unloaded or transhipped, and (iv) temporary storage.

The proposal aims to **modify Article 136 UCC in order to ensure the effective application of other UCC provisions**, notably those on customs supervision by establishing a distinction between the situation of non-Union and Union goods.

Under the proposal, the only provisions not applying when non-Union goods re-enter the Union customs territory after having temporarily left it by direct sea or air route, should be:

- the rules governing the obligation to lodge the entry summary declaration (Articles 127 to 130 UCC);
- the rules governing the obligation to notify the arrival of a sea-going vessel or aircraft to the customs office of first entry to the Union customs territory (Article 133 UCC).

By contrast, the provisions governing the obligation to convey the goods to a certain place, to present them to customs upon unloading or transhipment, to wait for authorisation before unloading or transhipping, and the provisions on temporary storage should apply in these situations, thereby allowing appropriate customs supervision.

The situation should be similar for Union goods whose status needs to be proven pursuant to Article 153 (2) UCC, to the extent that the customs authorities must be able to check the proof of their Union status.